

Chief Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM N. VINNIE, JR.,

Defendants.

NO. CR 04-326L

ORDER  
CONTINUING TRIAL DATE

This Court having considered the joint motion and stipulation of the parties filed on December 6, 2005, hereby GRANTS the parties' request for a continuance of the trial date. It should be noted that the Defendant signed a speedy trial waiver, as he does not object to this continuance.

Defense Counsel explained that, to date, her efforts have been focused on determining Mr. Vinnie's criminal history for the purpose of making a reasoned and informed decision on whether to proceed to trial, or pursue a resolution to this case. Defense Counsel also stated, that due to the difficulty in pursuing an accurate assessment of her client's criminal history, she has not undergone any case investigation, interviewed witnesses, or began other necessary preparation for the trial, currently set for December 12, 2005. U.S. Probation conducted a pre-plea Presentence Investigation for the purpose of determining the Defendant's criminal history, to assist Defense Counsel in advising her client adequately. While the investigation has been completed, neither party has been

1 presented with a written Presentence Report for review. Both parties need an opportunity  
2 to view this report to reach a resolution in this case. Since this process is likely to take  
3 one to two weeks, Defense Counsel must have adequate time to prepare for trial if a  
4 resolution is not reached.

5 This Court is granting a continuance of the trial date, because it is in the  
6 Defendant's best interests to have the advice of fully informed counsel, to determine a  
7 prudent course of action. More significantly, if the decision to proceed to trial is made,  
8 Defense Counsel will require additional time to adequately and competently prepare for  
9 trial. A continuance of the trial date serves both of these interests.

10 It is in the interest of the public to ensure the accused adequate, effective, and  
11 continued representation by counsel presently assigned. This Court finds that, for the  
12 above reasons, the ends of justice served by granting a continuance, is clearly in the best  
13 interests of the Defendant, and outweighs any interest of the public or the Defendant in a  
14 speedy trial.

15 The parties motion for continuance is GRANTED. Trial is reset for January 30,  
16 2006. The new motions deadline is December 29, 2005.

17 The time from the filing of this order, through the new trial date shall be  
18 excludable under the Speedy Trial Act, Title 18, United States Code, Section  
19 3161(h)(8)(A).

20 Dated this 7th day of December, 2005.  
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24 Robert S. Lasnik  
25 United States District Judge

26 Presented by:  
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